

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SALVADOR JIMENEZ,

Petitioner,

v.

DOUG WADDINGTON,

Respondent.

CASE NO. C05-387RSM

ORDER ADOPTING REPORT  
AND RECOMMENDATION AND  
DENYING PETITION

This matter is before the Court for consideration of the Report and Recommendation ("R & R") filed June 7, 2006, by the Honorable Monica J. Benton, United States Magistrate Judge. A copy of the R & R was mailed to petitioner at his place of confinement on that day, together with a letter explaining the procedure for filing objections, and further stating that failure to file objections by June 30, 2006 would waive the right to appeal any order entered by the district judge. The R & R and cover letter were returned to the clerk's office as undeliverable a week later, on June 14, 2006. On that day, the R & R and cover letter were re-mailed to petitioner at his new address of record, as he had been released from confinement. That mailing has not been returned as undelivered. As of this date, more than four weeks later, petitioner has filed no objections to the R & R.

ORDER RE: REPORT AND  
RECOMMENDATION - 1

1 Accordingly, the Court now finds and ORDERS as follows:

2 (1) The Report and Recommendation is approved and adopted;

3 (2) The petition for habeas corpus is DENIED, and this matter is DISMISSED; and

4 (3) The Clerk is directed to send copies of this Order to counsel, to the *pro se* petitioner at his  
5 address of record, and to the Hon. Monica J. Benton.

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7 Dated this 26th day of July, 2006.

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10 RICARDO S. MARTINEZ  
11 UNITED STATES DISTRICT JUDGE  
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